

****NOT FOR PRINTED PUBLICATION****

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

MICHAEL COLBERT,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
V.	§	CASE NO. 4:12cv612
	§	Judge Clark/Judge Mazzant
CITY OF MCKINNEY, TEXAS, ET AL.,	§	
	§	
<i>Defendants.</i>	§	

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On May 30, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant the City of McKinney, Texas' Renewed Motion to Dismiss [Doc. #15] be denied and the Individual Defendants' Motion to Dismiss [Doc. #28] be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Defendant the City of McKinney, Texas' Renewed Motion

to Dismiss [Doc. #15] is **DENIED** and the Individual Defendants' Motion to Dismiss [Doc. #28] is **GRANTED**, and Doug Kowalski and Randy Roland are **DISMISSED** from this lawsuit with prejudice.

So **ORDERED** and **SIGNED** this **3** day of **July, 2013**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge